### I. Call to Order/Roll Call

Chairman Brian Major called the meeting of the Board of Selectmen to order at 7:03 P.M. in the Selectmen's Conference Room at the Town Offices. Present: Chairman Major and Selectmen Ted Teichert, Alex Vispoli, Paul Salafia and Mary Lyman. Also present: Town Manager Buzz Stapczynski and Town Clerk Larry Murphy. The meeting was duly posted and cable-cast live.

### II. Opening Ceremonies

Chairman Major asked for a Moment of Silence followed by the Pledge of Allegiance.

### III. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- ~The Economic Development Council will hold its first meeting on February 28<sup>th</sup> at 6:00 P.M. in the 2<sup>nd</sup> floor conference room at the Town Offices.
- $\sim$ Consultants from the OPEB Actuarial Study will make a presentation at the March 14<sup>th</sup> Joint Meeting with the Finance Committee.
- ~The Board will sign the Annual Town Meeting Warrant on Wednesday, February 29th.

Selectman Teichert expressed his concern about signing the Warrant due to the lack of information to move forward with the Ballardvale Fire Station. The Board discussed his concerns and decided to reassess the situation after the Ballardvale Fire Station Building Committee meeting with the three boards (Selectmen, Finance Committee and School Committee) on March 19<sup>th</sup> when the Task Force will provide answers to the questions raised at the two public forums. There are two Warrant Articles for the Fire Station – one requires input from the School Committee on the transfer of land and the second is to purchase the land at 270 Andover Street that will require a vote at Town Meeting.

Town Clerk Larry Murphy announced that the Presidential Primary will be held on Tuesday, March 6<sup>th</sup> with precincts one, seven, and eight voting at the Senior Center and all other precincts voting at the Collins Field House. Voting precinct information is available on the Town website. The Town Election deadline for nomination papers has passed and the deadline for voter registration is March 7<sup>th</sup>. He said the Town Clerk's Office will remain open until 8:00 P.M. on that day and all precincts will vote at the Collins Field House. He noted that five candidates are in the running for the two positions on the Board of Selectmen.

Selectman Salafia reported that the Town Yard Task Force is meeting at 7:30 A.M. on Tuesday, February 28<sup>th</sup> and the School Building Committee is meeting on Wednesday, February 29<sup>th</sup> at 7:30 A.M.

Selectman Vispoli reported that the members of the Debt Sub-committee will present the tool developed to layout the debt at the Tri-Board Meeting on Wednesday, March 7<sup>th</sup> at 7:00 P.M. in the School Committee Room.

Selectman Vispoli provided an update on a recent Massachusetts Municipal Association meeting where major discussions were held on OPEB, long-term obligation funding options and the benefits of addressing the cost of these obligations. They also discussed the double-pole issue and which party is responsible for removing the poles – municipalities or the utility companies, Local Aid for FY-13, the reduction in Chapter 90 funding for roads and infrastructure and Health Care Reform which he noted that fifty-seven towns have adopted with fifteen Towns implementing the change.

Selectman Lyman welcomed former Selectman John Hess who, on behalf of the Andover Historical Society, thanked the Board for their donation to the Brick Fundraiser and spoke about the brick campaign fundraiser for the Historical Society's 100<sup>th</sup> year. He said the first 100 bricks will be installed this Spring. Anyone interested in purchasing a brick should contact the Historical Society.

#### **IV.** Citizens Petitions and Presentations

Bob Marshall, Samos Lane, asked for an update on the status of the Bancroft School project and if the lawsuit filed will impact the project. The Town Manager said the Town has received approval from the Massachusetts School Building Authority to move ahead with the project and are in the process of responding to the lawsuit.

# V. Regular Business of the Board

#### A. Greater Lawrence Technical School Transfer

John Lavoie, Superintendent/Director of the Greater Lawrence Technical School, requested approval of a transfer of \$125,000 from their Excess & Deficiency Account to help fund a Chiller System which represents about 50% of the air-conditioning for the school. They are applying for a grant and will be conducting a feasibility study using Capital Improvement Funds and Excess & Deficiency Funds. The law requires the Town to approve their spending the \$125,000. There is no cost to the Town.

Selectman Lyman motioned to approve the request of the Greater Lawrence Technical School to transfer \$125,000 from their Excess & Deficiency Account for the purposes of repairing/replacing the Chiller System. The motion was seconded by Selectman Teichert and voted 5-0 to approve.

## B. <u>Disposal of Surplus Property</u>

Paul Szymanski, Asst. Superintendent for Finance & Administration, is requesting the Board's approval to dispose of surplus property (outdated textbooks and office equipment) which have exceeded their useful life or educational purpose. One vendor is giving a \$500 credit for the desks at the Doherty Middle School (\$10 per desk) and will remove the desks from the school. The items will be disposed of in accordance with Chapter 30B and the Andover Town Bylaws. A copy of the procedures and list of items was provided.

Selectman Lyman motioned to approve the School Department's request to dispose surplus property as presented. The motion was seconded by Ted Teichert, and voted 5-0 to approve.

#### C. Memorial Hall Library *Andover Reads* Program

Memorial Hall Library Director Beth Mazin and Community Services Librarian Emily Classon gave a presentation regarding the Library's *Andover Reads* Program and the Open House on March 31<sup>st</sup> where the USO Liberty Belles will kickoff the program with World War II Era songs. There are six weeks of programs and events scheduled for all ages related to the Community Read of the book – *The Book Thief* written by Markus Zusak. A copy of the book and event listings was distributed to the Board.

# D. <u>Annual Town Meeting Warrant</u>

The Town Manager distributed the Warrant Article Tracking Sheet to the Board followed by a review and discussion of the Warrant for the Annual Town Meeting to be held on Monday, April 30, 2012 at the Collins Field House. The private Warrant Articles will be discussed at a future meeting.

Selectman Vispoli said he would like to see Article P-15, the use of Free Cash to fund

OPEB, withdrawn from the list of warrant articles or be paid from another source other than Free Cash. Selectman Lyman asked if there were other sources of funding available for the repairs to the Balmoral Fence and Masonry Repairs (P-23). The Town Manager will look at options for other sources of funding for both warrant articles and report back to the Board. Articles P-45 & P-46 for the Ballardvale Fire Station are for the design/engineering of either site and for the acquisition of the land at 270 Andover Street if needed. The Board discussed the option of not inserting the articles but felt this would not provide the Task Force the opportunity to answer questions and present their findings. It would be disrespectful of all the work they have done to pull this article together. The Board can always recommend withdrawing the articles at a later time.

Selectman Teichert motioned to not insert Warrant Articles 45 and 46 as presented. The motion was seconded by Selectman Vispoli. The motion to not insert failed by a vote of 4-1.

Joanne Marden of the Finance Committee said she is concerned with the number of articles without dollar figures attached. The Board said several of those articles will have dollar amounts within the next few weeks. The Town Yard and Fire Station articles will call for a Proposition 2½ debt exclusion and if passed, a Special Election. The earliest date for a Special Election is Tuesday, June 12th. The Board directed the Town Clerk to schedule June 12th as the tentative date for this election. Additional information will be forthcoming that will clarify questions asked about other warrant articles and the Town Manager explained that the rubric will change after each meeting as some items are listed as placeholders.

# VI. Consent Agenda

#### A. Change of Manager

Selectman Lyman motioned to approve the request of Sandra Woodin, Bertucci's Restaurant Corporation, 155 Otis Street, Northborough, MA, for a Change of Manager on their Wine and Malt Restaurant license at 90 Main Street, Andover. Matthew D. Phipps will be the new designated Manager. The request has been reviewed and approved by the Town Clerk subject to the condition that all requirements of the Town are met prior to the issuance of the amended license. The motion was seconded by Selectman Vispoli, and voted 5-0 to approve.

#### B. Road Race/Walk

Selectman Vispoli motioned to approve the request of Mary Pritchard, President of the ABC Program, 134 Main Street, Andover, for permission to conduct a 5K walk/run through the streets of Andover on Sunday, April 29, 2012 beginning at 10:00 A.M. and ending at the ABC House. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman, and voted 5-0 to approve.

#### C. <u>Andover Day</u>

Selectman Teichert motioned to approve the request of Kathleen Bates, on behalf of the Andover Business Center Association, to conduct Andover Day 2012 in the downtown on Saturday, September 15, 2012 (raindate – Saturday, September 29, 2012). She is also requesting permission to close Main Street from Elm Square to Punchard Avenue from 5:00 A.M. to 7:00 P.M., Park Street and Barnard Street from Main Street to behind the Town House and Chestnut Street from Main Street to the CVS parking lot from 7:00 A.M. to 7:00 P.M. Parking will not be available in the Olde Andover Village lot during the event. The request has been reviewed and approved with conditions by the Police

Department. The motion was seconded by Selectman Vispoli, and voted 5-0 to approve.

#### D. Clown Town

Selectman Salafia motioned to approve the request of Lisa DiAntonio, Andona Society Ways and Means Chair/Clown Town Chair, is requesting permission to conduct Clown Town in The Park on Friday, May 18, 2012 from 6:00 P.M. to 10:00 P.M. and Saturday, May 19, 2012 from 10:00 A.M. to 8:00 P.M. (rain/snow date of Sunday, May 20<sup>th</sup> from Noon to 5:00 P.M.). They are also requesting permission to use the parking lots adjacent to The Park for the set up of rides and to begin the set up on Wednesday, May 16<sup>th</sup>; the use of the parking lots behind the Doherty Middle School and Senior Center; the use of the semi-circle in front of the Town Offices for kiddie games; to close Whittier Court on Friday, May 18<sup>th</sup> and Saturday, May 19<sup>th</sup> and to have a DJ on Friday, May 18<sup>th</sup> from 6:00 P.M. to 9:00 P.M., on Saturday, May 19<sup>th</sup> from 10:00 A.M. to 6:00 P.M. and on Sunday, May 22<sup>nd</sup> (rain/snow date) from Noon to 5:00 P.M. The request has been reviewed and approved with conditions by the Police Department. The motion was seconded by Selectman Lyman and voted 4-0 to approve. Selectman Teichert abstained from voting.

# E. <u>Appointments and Re-appointments</u>

Selectman Lyman motioned to approve the following appointments as recommended by the Town Manager and as printed in the agenda. The motion was seconded by Selectman Salafia and voted 5-0 to approve:

DEPARTMENT POSITION RATE EFF. DATE	EPARTMENT		KAIŁ	EFF. DATE
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#### COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT

Joan Oliveira Office Assistant I – PT IE-10/\$18.64/hr. 2/28/12 Trudy L. Zakin Recording Secretary – PT \$150.00 per meeting 2/28/12

## PLANNING BOARD - Terms expire 6/30/14

Eric W. Macaux – Regular Member

(v. L. Anderson)

#### YOUTH CENTER BUILDING COMMITTEE – Terms expire 6/30/15

Chris C. Huntress
Willard D. Perkins
David Giangrande
Nancy K. Jeton
Lewis C. Trumbore
David J. Gorman

Joe Spanos

# VII. Approval of Minutes from Previous Meetings

Selectman Vispoli motioned to approve the Regular Meeting Minutes of February 6, 2012, the Joint Meeting Minutes with the Finance Committee of February 8, 2012, February 13, 2012, and February 15, 2012 as presented. The motion was seconded by Selectman Lyman and voted 5-0 to approve.

#### VIII. Adjournment

On a motion by Selectman Salafia and seconded by Selectman Lyman, the Board unanimously voted to adjourn the Regular Meeting of February 27, 2012 at 8:47 P.M.

Respectfully submitted,

Dee DeLorenzo Recorder

Documents: School Department Surplus Textbook/Supply Disposal Form Warrant Article Tracking Sheet